

FRANK J. UXA, JR.*
ROBERT D. BUYAN*
DONALD E. STOUT
KENTON R. MULLINS
JO ANNE M. YBAGEN
LINDA ALLYSON FOX
KYLE D. YESLAND, Ph.D.
GREG S. HOLLRIGEL, Ph.D.**
LOUISE S. HEIM**

LAW OFFICES OF
STOUT, UXA, BUYAN & MULLINS, LLP

4 VENTURE, SUITE 300
IRVINE, CALIFORNIA 92618
(949) 450-1750
FACSIMILE: (949) 450-1764

PATENTS, TRADEMARKS,
COPYRIGHTS, AND RELATED
INTELLECTUAL PROPERTY
MATTERS

GORDON L. PETERSON (Retired)

*PROFESSIONAL CORPORATION
**REGISTERED PATENT AGENT

OUR FILE NO.
TRNSV-013BC2

FACSIMILE COVER SHEET

Date: February 24, 2004

To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Facsimile: 703-872-9306

Re: U.S. Patent Application No. 09/994,222
Applicant: Makower, et al.
Title: Method and Apparatus for Transmyocardial Direct Coronary Revascularization

From: Robert D. Buyan

Total Number of Pages: 12 (including this form). Please notify us immediately if you have not received all pages.

Message:

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence for Serial No.09/994,222 is being facsimile transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450 at (703) 872-9306 on February 24, 2004.

Name of person sending facsimile: Francine Sanders, Assistant to Robert D. Buyan

Signature: 

PRIVACY NOTICE: This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address. Thank you.

**RECEIVED
CENTRAL FAX CENTER**

FEB 24 2004

OFFICIAL

Attorney Docket No.: TRNSV-013BC2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Makower, et al.)
)
 Application No. 09/994,222)
)
 Filed: November 26, 2001)
)
 For: Method and Apparatus for)
 Transmyocardial Direct Coronary)
 Revascularization)

Art Unit: 3738

Examiner: Isabella, D.

**RECEIVED
CENTRAL FAX CENTER**

FEB 24 2004

OFFICIAL

Mail Stop Non-Fee Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Transmittal Letter

Dear Sir:

- ☐ In accordance with Rule 136, the Commissioner is hereby petitioned for a ____ () month extension of time, extending to ____, 2004 the period for response to the Office action dated November 24, 2003. Check No. ____ for \$0.00 is enclosed.
- ☐ Enclosed is a certified copy of Serial No. _____ from which priority is claimed in the subject case pursuant to 37 CFR § 1.55b and 35 U.S.C. § 119.
- ☐ Enclosed is an Assignment of the invention to [Assignee], including a cover sheet and Check No. [Assignment Check No.] for \$40.
- ☐ A Declaration of Inventorship and Limited Power of Attorney is enclosed.
- ☐ A Certificate of Ownership and Power of Attorney is enclosed.
- ☒ Enclosed herewith is a amendment/response for filing in relation to the above-identified application. Entry and consideration of this amendment/response is requested.

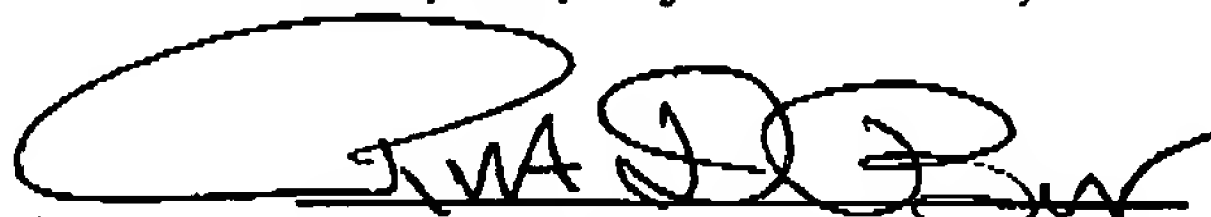
- ☐ Check No.---- is enclosed covering the additional filing fees in the amount of \$0.00, with the fees calculated as follows:

| | (Col. 1) Claims Remaining After Amendment | (Col. 2) Highest No. Previously Paid For | (Col. 3) Present Extra | Small Entity Additional Rate | Fee | Other than a Small Entity Additional Rate | Fee |
|---|---|---|------------------------------|------------------------------------|-----|--|-----|
| Total claims | 6 | - 82 | = 0 | x 9 | \$ | Or x 18 | \$ |
| Independent claims | 1 | - 1 | = 0 | x 42 | \$ | Or x 84 | \$ |
| First presentation of multiple dependent claims | | | | + 140 | \$ | Or + 280 | \$ |
| | | | | Total | \$ | Or Total | \$ |

- ☒ The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of the filing fees required under 37 CFR § 1.16 and any patent application processing fees required under 37 § CFR 1.17 to Deposit Account No. 50-0878.

Respectfully submitted,
Stout, Uxa, Buyan & Mullins, LLP

Date: February 24, 2004

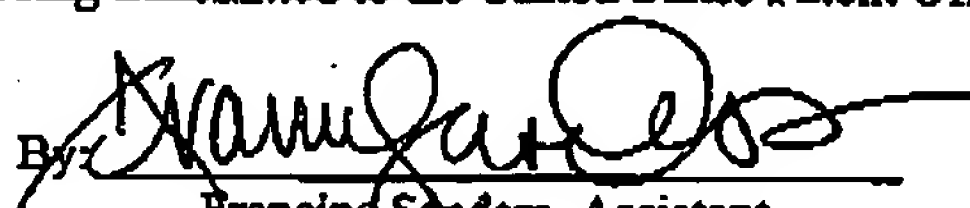

Robert D. Buyan, Reg. No. 32,460

4 Venture, Suite 300
Irvine, CA 92618
Telephone:(949) 450-1750; Facsimile: (949) 450-1764
email: rbuyan@patlawyers.com

CERTIFICATE OF FACSIMILE FILING

I hereby certify that this correspondence is being transmitted to the United States Patent Office by facsimile at (703) 872-9306 on February 24, 2004.

Dated: February 24, 2004

By 
Francine Sanders, Assistant